

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

PAMELA STELLA, individually and
on behalf of all others similarly situated,

Plaintiff,

V.

LVMH PERFUMES AND COSMETICS
USA, INC., a New York Corporation,

Defendant.

No. 07-CV-6509

Hon. Elaine E. Bucklo

Magistrate Judge Arlander Keys

**DEFENDANT LVMH PERFUMES AND COSMETICS, INC.’S UNOPPOSED
MOTION TO EXTEND TIME TO FILE ITS MOTION TO DISMISS**

Defendant LVMH Perfumes and Cosmetics, Inc. (“LVMH”), misnamed in the complaint as LVMH Perfumes and Cosmetics USA, Inc., respectfully moves the Court for an order extending by seven (7) days the time for LVMH to file its motion to dismiss the complaint in this action. In support of this motion, LVMH states:

1. The seven-count putative class complaint in this action was filed on November 16, 2007 and served on or about November 27, 2007.

2. On January 31, 2008, LVMH filed a motion to stay this action pursuant to the doctrine of primary jurisdiction.

3. On February 7, 2008, the parties appeared before this Court for initial status and presentment of LVMH's motion to stay. The Court denied the motion to stay and entered a scheduling order pursuant to which LVMH's response to the complaint is due on or before March 7, 2008.

4. LVMH's counsel have been working diligently on LVMH's motion to dismiss the complaint. Unfortunately, because of an unexpected and extended out-of-state TRO

proceeding against an LVMH's affiliate, as well as other unplanned obligations in other cases, LVMH's counsel have had far less time than expected to complete their factual and legal analysis and to prepare the motion. Accordingly, LVMH requests a one-week extension of time to file its motion to dismiss.

5. The requested extension is not sought for any improper purpose, and it will not unreasonably delay this action or prejudice any of the parties. In this respect, LVMH notes that it still has not served with the complaint in the related case, *Quinn v. LVMH Perfumes and Cosmetics USA, Inc.*, No. 08-CV-138 (N.D. Ill.), which is now pending before this Court.

6. LVMH's counsel has conferred with plaintiff's counsel about the requested extension of time, and plaintiff's counsel does not object.

WHEREFORE, defendant LVMH Perfumes and Cosmetics, Inc. respectfully requests that the Court grant this unopposed motion and enter an order extending the time for LVMH to file its motion to dismiss the complaint through and including March 14, 2008.

Date: March 5, 2008

Respectfully submitted,

LVMH PERFUMES AND COSMETICS, INC.

By: s/ Rachael M. Trummel
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Rachael M. Trummel, an attorney, hereby certify that I caused a true and correct copy of the foregoing **LVMH'S UNOPPOSED MOTION TO EXTEND TIME TO FILE ITS MOTION TO DISMISS** to be served upon the following by ECF/PACER electronic notice and by U.S. Mail as indicated on this 5th day of March 2008:

By ECF/PACER Electronic Notice

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